

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**LINDA THOMPSON,**

Plaintiff,

v.

**GENE LAMKE et al.,**

Defendants.

**Civ. No. 6:14-cv-00963-TC**

**OPINION AND ORDER**

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**MCSHANE, Judge:**

Plaintiff Linda Thompson, *pro se*, brings this action asserting numerous claims<sup>1</sup> against approximately thirty defendants. Following service, various defendants filed motions to dismiss (ECF Nos. 23, 24, 25, 33, 44, and 47) because of improper venue, lack of personal and subject matter jurisdiction, and/or failure to state a claim. Magistrate Judge Thomas M. Coffin issued a Findings and Recommendation (F&R) on February 23, 2015, in which he recommended that this Court grant defendants' motions. F&R 1–4, ECF No. 48. The matter is now before this Court.

*See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

This Court reviews all portions of the F&R subject to objection *de novo*. *See* 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Bus. Machs. Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff timely filed an objection. *See* Pl.'s Objections 1–13, ECF No. 56. Upon review, this Court finds no error in Judge Coffin's F&R, ECF No. 48.

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<sup>1</sup> Plaintiff identifies at least seven different types of claims, including: fraud; intentional infliction of emotional distress; wrongful death; elder abuse; negligence; violation of civil rights (freedom of association, speech, and equal protection); and conspiracy. *See* Compl. 1–19, ECF No. 1; Compl. Supplement 1–22, ECF No. 12.

As indicated by Judge Coffin, venue is improper under 28 U.S.C. § 1391(b).<sup>2</sup> To the extent that plaintiff objects to Judge Coffin's jurisdictional findings, those objections do not address the appropriateness of plaintiff's chosen venue. As a result, plaintiff's action is dismissed without prejudice pursuant to 28 U.S.C. § 1406(a).

**CONCLUSION**

This Court ADOPTS Judge Coffin's F&R, ECF No. 48, in full. Defendants' motions to dismiss, ECF Nos. 23, 24, 25, 33, 44, and 47, are GRANTED. Plaintiff's remaining motions, ECF Nos. 27, 28, 29, 54, and 55, are DENIED.<sup>3</sup>

IT IS SO ORDERED.

DATED this 30th day of March, 2015.



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Michael J. McShane  
United States District Judge

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<sup>2</sup> Plaintiff concedes that the proper venue is likely the Southern District Court of California. *See* Pl.'s Mot. Change Venue 2, ECF No. 27.

<sup>3</sup> This Court relies on the reasoning articulated in Judge Coffin's various orders. *See* Order 1–2, July 14, 2014, ECF No. 6; Order 1–4, Oct. 17, 2014, ECF No. 13; Order, Jan. 7, 2014, ECF No. 21; F&R 1–4, ECF No. 48.